

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on January 9, 2009 at 8:02 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Sue Dickenson, Vice Chairman (D)
Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Russell Bean (R)
Rep. Tony Belcourt (D)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Dee Brown (R)
Rep. Mary Caferro (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Mike Phillips (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: Rep. Kendall Van Dyk (D)

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Branch
Marshall McEwen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 89, 1/6/09; HB 144, 1/6/09; HB 145, 1/6/09
Executive Action: HB 23, HB 37
Agency Presentations: Public Employees' Retirement Board/Administration and Teachers' Retirement System

Public Employees' Retirement Board/Administration:

00:01:52 Roxanne Minnehan, Executive Director, Montana Public
Employees' Retirement Association

EXHIBIT(sth05a01)

00:19:53 Rep. Phillips
00:20:56 Ms. Minnehan
00:21:40 Rep. Malek
00:22:14 Ms. Minnehan
00:22:19 Rep. Malek
00:23:18 Ms. Minnehan
00:24:02 Rep. Malek
00:24:14 Ms. Minnehan
00:25:11 Chairman Himmelberger
00:25:31 Rep. Malek
00:25:35 Rep. Brown
00:26:34 Ms. Minnehan
00:26:37 Rep. Brown
00:26:43 Chairman Himmelberger

Teachers' Retirement System:

00:27:37 David Senn, Executive Director, Teachers' Retirement
system

EXHIBIT(sth05a02)

00:44:51 Chairman Himmelberger
00:45:24 Committee Takes a Break
00:57:25 Committee Called Back to order by Chairman Himmelberger

HEARING ON HB 89

Opening Statement by Sponsor:

00:59:29 Rep. Ken Peterson (R), HD 46, opened the hearing on HB
89, Revise law on election of legislative officers in
case of tie vote.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:03:17 Rep. Phillips
01:03:26 Rep. Peterson

01:03:30 Rep. Phillips
01:03:53 Rep. Peterson
01:04:05 Rep. Phillips
01:04:18 Rep. Peterson
01:04:35 Rep. Phillips
01:04:51 Rep. Peterson
01:05:02 Rep. Caferro
01:05:26 Chairman Himmelberger
01:05:37 Greg Petesch, Code Commissioner, Legislative Services
Division
01:05:42 Rep. Caferro
01:06:09 Mr. Petesch
01:06:21 Rep. Caferro
01:06:41 Mr. Petesch
01:07:37 Rep. Caferro
01:08:19 Mr. Petesch
01:08:36 Chairman Himmelberger

Closing by Sponsor:

01:08:47 Rep. Peterson
01:10:09 Chairman Himmelberger

HEARING ON HB 144

Opening Statement by Sponsor:

01:10:23 Rep. Dave McAlpin (D), HD 94, opened the hearing on HB
144, Clarify return to employment for public officers.

Proponents' Testimony:

01:12:38 Sen. Carolyn Squires, SD 48

Opponents' Testimony: None

Informational Testimony:

01:18:39 Greg Petesch, Code Commissioner, Legislative Services
Division

EXHIBIT(sth05a03)

Questions from Committee Members and Responses:

01:23:29 Rep. Wilmer
01:24:19 Mr. Petesch
01:24:33 Rep. Dickenson
01:25:31 Mr. Petesch
01:26:19 Rep. Dickenson

01:26:33 Mr. Petesch
01:26:55 Rep. Boniek
01:27:45 Mr. Petesch
01:27:49 Rep. MacLaren
01:28:24 Mr. Petesch
01:29:06 Rep. Bean
01:29:46 Mr. Petesch
01:31:25 Chairman Himmelberger

Closing by Sponsor:

01:31:35 Rep. McAlpin
01:32:14 Chairman Himmelberger

HEARING ON HB 145

Opening Statement by Sponsor:

01:32:28 Rep. Dave McAlpin (D), HD 94, opened the hearing on HB 145, Legislator stipend during interim.

Proponents' Testimony:

01:35:53 Rep. Diane Sands, HD 95
01:37:51 Rep. Himmelberger, HD 47

Opponents' Testimony: None

Informational Testimony:

01:40:07 Dennis Unsworth, Commissioner, Political Practices
01:43:07 Susan Fox, Executive Director, Legislative Services
Division

Questions from Committee Members and Responses:

01:44:40 Rep. Washburn
01:45:39 Mr. Unsworth
01:47:14 Rep. Phillips
01:48:01 Rep. McAlpin
01:48:13 Rep. Phillips
01:48:30 Rep. McAlpin
01:48:40 Rep. Phillips
01:49:08 Rep. McAlpin
01:49:22 Chairman Himmelberger
01:49:28 Rep. McAlpin
01:49:34 Rep. Phillips
01:49:43 Rep. McAlpin
01:49:45 Chairman Himmelberger

01:49:49 Rep. Ingraham
01:50:30 Ms. Fox
01:50:44 Rep. Ingraham
01:51:05 Ms. Fox
01:51:33 Rep. MacLaren
01:52:00 Rep. McAlpin
01:52:04 Rep. MacLaren
01:52:09 Chairman Himmelberger
01:52:13 Rep. Bean
01:52:47 Rep. McAlpin
01:53:31 Chairman Himmelberger
01:53:50 Karen Berger, Financial Services Manager, Legislative
Services Division
01:54:39 Chairman Himmelberger
01:54:43 Rep. Phillips
01:54:54 Rep. Himmelberger
01:55:04 Rep. Wilmer
01:55:35 Ms. Fox
01:55:48 Rep. Wilmer
01:56:20 Ms. Fox
01:56:33 Chairman Himmelberger

Closing by Sponsor:

01:56:41 Rep. McAlpin
01:57:03 Chairman Himmelberger

EXECUTIVE ACTION ON HB 23

01:58:15 **Motion:** Rep. O'Hara moved that **HB 23 DO PASS.**

Discussion:

01:58:25 Rep. Dickenson
01:58:55 Chairman Himmelberger
01:58:58 Rep. Phillips
01:59:41 Chairman Himmelberger
02:00:01 Rep. Phillips
02:00:07 Chairman Himmelberger
02:00:13 Rep. O'Hara withdrew his motion without objection.
02:00:21 Chairman Himmelberger

EXECUTIVE ACTION ON HB 37

02:00:32 **Motion:** Rep. O'Hara moved that **HB 37 DO PASS.**

Discussion:

02:00:41 Chairman Himmelberger

02:00:56 Rep. Boniek
02:01:16 Chairman Himmelberger
02:01:22 Ms. Heffelfinger
02:02:01 Chairman Himmelberger
02:02:04 Rep. Boss Ribs
02:02:34 Ms. Heffelfinger
02:02:53 Chairman Himmelberger

02:03:05 **Vote:** Motion **HB 37 DO PASS** carried 15-2 by voice vote
with Rep. Boniek and Rep. Ingraham voting no. Rep. Van
Dyk voted by proxy. Rep. Brown was excused for the
moment and her vote was not registered.

02:03:33 Chairman Himmelberger
02:06:01 Ms. Heffelfinger
02:06:17 Chairman Himmelberger
02:06:35 Rep. Phillips
02:07:14 Chairman Himmelberger
02:07:21 Rep. Brown
02:07:43 Chairman Himmelberger

ADJOURNMENT

02:08:14 Adjournment

REP. DENNIS HIMMELBERGER, Chairman

MARSHALL MCEWEN, Secretary

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Additional Documents:

EXHIBIT ([sth05aad.pdf](#))